



**CITY OF ABSECON
Municipal Complex
500 Mill Road
Absecon, New Jersey 08201**

PLANNING & ZONING
Tina M. Lawler, Secretary

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**NOVEMBER 18, 2014
ZONING BOARD
MINUTES**

The meeting was called to order by Pat Malia at 7:30 p.m.

Flag Salute

Notification of Meeting

ROLL CALL

PRESENT: Fritz, Baltera, Polisano, Corkhill, Roswell, Seher, Malia

ABSENT: Lawler, Bonek

OLD BUSINESS:

Vote: Minutes of July 15, 2014 meeting

Motion to approve: Joe Polisano – second – Alex Corkhill

All were in favor.

NEW BUSINESS:

Appl. #6-2014 for Alex Clark – 819 New York Avenue – Block 131 – Lot 1.06 for Lot Coverage Variance

Zoning Board member, Bill Fritz stepped down due to a conflict of interest.

Alex Clark, the owner was sworn in and represented himself. He explained to the board what he has installed in the yard so far and what the future plan is. He received a permit for the pool and some pavers in the back yard. Due to the way his back yard slopes and the deck and patio being removed, there was about a 28" difference between the pool and ground level. He was concerned that just filling it with dirt, the water drainage would not flow properly. He then explained the yard work that was done to date. With the extra pavers to be put in tough, he needs a lot coverage variance. The required limit is 40% in this zone, but they will be at 53%.

John – it's difficult for the board to understand because you are speaking in concepts. He explained to the applicant that he is seeking a "C" variance to exceed the permitted site coverage of 40% since you are providing for 53%.

Bob Smith, in for Eddie Dennis, engineer was sworn in for the evening.

Bob – he first submitted a plan by Polistina and Associates with their calculations, but then Mr. Dennis did his own calculations and came up with a different number when the survey was submitted. Since there was a discrepancy, they then had a CAD operator do some calculations and he came up with a different amount of coverage, bringing it to 53.1%.

Alex presented 5 photos to the board that were marked into evidence as Exhibits A1 to A5 depicting the yard. They were passed around to the board members to see.

Joe P. – wanted to know what is effecting the coverage and what is causing the need for the variance.

Alex – I have a long driveway and it takes up a lot of the coverage on the property.

Bob – the variance is due to the additional pavers being installed.

A discussion was then held on the different calculated amounts of sq. footage of the pavers.

The calculations that were figured by Eddie's office come to being 13% over the limit. They calculated 9,026 sq. ft. for a 17,000 sq. ft. lot. At 40% it would be 6,800 sq. ft. So it's a little over 2,200 sq. ft. over the limit.

Pat – was concerned if there would be any drainage problems if doing this.

Bob – explained the improvements that he put in, will help with the drainage, but he can't state for sure, since a grading plan has not been done and a formal evaluation hasn't been completed. He understands that there have been issues that have existed on site and it appears he has taken some measures to mitigate that.

Jeff – the photos were from yesterday's rain?

Alex – yes and it rained all day.

Joe – do you need to increase it to that amount or would there be a happy medium? Maybe have a walkway but with more grass for more drainage?

Alex – it's a cosmetic thing and if we scaled it down, it would look funny. It would give us a patio to be used for chairs and stuff.

Motion to open to the public.

Jack Mitchell – 804 Katie Ct. - Absecon – he lives directly behind this property and his concern is noise and water runoff from his property. When he moved into his house, the previous owner of this house and the city engineer spent 6 months to get the drainage correct. Now this is all getting done and he doesn't know what is going to happen. One day of rain, does not necessarily prove there is not a water problem. The design of the water drainage that was on the plans, comes from NY Ave. down through his property to Katie Court. The property was then re-graded to try and help the water drainage. Now we don't know what is going to happen. He was told the noise issue with the other neighbor is a police issue and not something the Zoning Board can control.

Jeff – asked if there is water running through his property now.

Jack – if you walk down the side of my property, you better have boots on. It was typical, but it's gotten worse.

Bill Fritz – 820 New York Ave. – Absecon – he was asked by Alex to come help him out and before he started the property did slope and he raised that property and installed a retaining wall and trees and will put more bushes to eliminate water running off. He is doing what he is supposed to and he feels there are no water problems coming from his house.

Public portion was closed.

Pat – he is concerned with the drainage also and we don't have any information indicating that the drainage is adequate. Is there any further information we can get?

Joe - My concern is with all this hard surface, it won't absorb the rain. It is sloped away from your pool so it doesn't run into that and it's going to sheet to wherever.

Alex - That's why we installed the trees and a retaining wall and shrubs.

Discussion was held on the grading of the property and issues that could arise. Without a grading plan it would be impossible to determine what direction the runoff is taking. The applicant indicates it slopes to the back, but there is no answer where it goes after that. After the discussion, it was left up to the applicant to either take a chance on a vote tonight or table his application until the Dec. 16th meeting. If it was denied, he would have to spend a lot more to come back to fix it. It was suggested to him to table it and come back and he agreed.

Motion to table application – Greg Seher – second – Jeff Roswell
All were in favor.

Appl. #7-2014 for Jim Regan – 991 Pitney Road – Block 4 – Lot 32 for side yard setback for an addition constructed by previous owner

Bill Fritz rejoined the board on the dias.

Jim Regan – applicant was sworn in and represented himself. He explained that he is the contract purchaser of the house and a CCO can't get issued due to an addition that was built by the owner years ago incorrectly and it does not meet the side yard setback requirements. The owner has never addressed this problem and has given him the authority to do this in order for the house to be sold, which is now in the bank's hands.

Pat – asked where the addition was.

Jim – in the rear.

Joe – so it's been off since they built it?

Jim – yes.

Bob – there are no physical changes being done to the property and it's an existing condition. There are other pre-existing conditions, but they are not being expanded on.

Pat opened it to the public, but there were no comments.

Motion to grant a side yard setback to permit a side yard of 9.7 ft. was made by Joe Polisano – second – Alex Corkhill

ROLL CALL: Fritz, abstain; Baltera, yes; Polisano, yes; Corkhill, yes; Roswell, yes; Seher, yes; Malia, yes

ADJOURNMENT

Motion to adjourn meeting – Joe Polisano – second – Alex Corkhill
All were in favor.

Respectfully submitted,

Tina Lawler, Secretary

Approved: 12-16-14